

Message Text

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TO USDEL SECRETARY PRIORITY

C O N F I D E N T I A L STATE 015030 TOSEC 010062

NODIS

E.O. 11652: XGOS-3

TAGS: PFOR, SREF, VS, VN

SUBJECT: ACTION MEMORANDUM: TALKING POINTS FOR PRESIDENT'S
MEETING WITH MONTGOMERY SELECT COMMITTEE (S/S 7601302)

FOR THE SECRETARY FROM EA - ROBERT H. MILLER, ACTING

1. THE PRESIDENT HAS AGREED TO MEET SOME TIME NEXT WEEK
WITH CONGRESSMAN G. V. 'SONNY' MONTGOMERY AND THREE OTHER
MEMBERS OF THE HOUSE SELECT COMMITTEE ON MISSING PERSONS
IN SOUTHEAST ASIA. THE COMMITTEE MEMBERS WILL REPORT TO
THE PRESIDENT ON THEIR RECENT VISIT TO HANOI, DURING
WHICH THEY RECEIVED THE REMAINS OF THREE AMERICAN SERVICE-
MEN. BELOW ARE A BACKGROUND STATEMENT AND RECOMMENDED
TALKING POINTS FOR USE BY THE PRESIDENT IN THIS MEETING.
IF YOU APPROVE, THE DEPARTMENT WILL FORWARD THIS STATEMENT
AND THESE TALKING POINTS TO THE WHITE HOUSE.

RECOMMENDATION: THAT YOU APPROVE THIS STATEMENT AND THESE
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TALKING POINTS FOR TRANSMISSION TO THE WHITE HOUSE FOR USE

BY THE PRESIDENT.

APPROVE ----- DISAPPROVE -----

2. BEGIN TEXT: BACKGROUND STATEMENT AND TALKING POINTS FOR
PRESIDENT'S MEETING WITH CONGRESSMAN MONTGOMERY AND OTHER

MEMBERS OF THE HOUSE SELECT COMMITTEE ON MISSING PERSONS
IN SOUTHEAST ASIA

BACKGROUND

ON DECEMBER 21, CHAIRMAN MONTGOMERY AND THREE OTHER MEM-
BERS OF THE HOUSE SELECT COMMITTEE ON MISSING PERSONS IN
SOUTHEAST ASIA VISITED HANOI WHERE THEY RECEIVED THE
REMAINS OF THREE AMERICAN AIRMEN KILLED DURING THE VIET-
NAM WAR AND TALKED WITH NORTH VIETNAMESE OFFICIALS,
INCLUDING PREMIER PHAM VAN DONG.

THE VIETNAMESE REPORTEDLY ASKED FOR THE U.S. 'TO DEMON-
STRATE IN CLEAR WAYS THAT WE ARE AS ANXIOUS AS THEY ARE
TO RESTORE NORMAL RELATIONS.' MONTGOMERY HAS DESCRIBED
THE TALKS AS 'STRAIGHTFORWARD, TO THE POINT, AND
BENEFICIAL TO BOTH SIDES.' NONETHELESS, WE SEE NO
CHANGE IN PREVIOUS VIETNAMESE POSITIONS LINKING SIGNIFI-
CANT PROGRESS ON AMERICAN MIA'S TO THE UNITED STATES
GRANTING AID AND OTHER ECONOMIC CONCESSIONS TO THE
VIETNAMESE.

THE VIETNAMESE GAVE THE DELEGATION A SET OF DOCUMENTS
LISTING THE AID PROPOSALS DISCUSSED BY THE U.S.-NORTH
VIETNAMESE JOINT ECONOMIC COMMISSION IN 1973 (ONE DOCU-
MENT DISCUSSES A 5-YEAR, 3.25 BILLION DOL PROGRAM). THE
BILATERAL COMMISSION WAS ESTABLISHED TO DISCUSS POSSIBLE
AMERICAN ASSISTANCE TO VIET-NAM UNDER ARTICLE 21 OF THE
PARIS AGREEMENT, AS A MEANS TO INDUCE NORTH VIET-NAM TO
KEEP ITS COMMITMENTS UNDER THAT AGREEMENT. TALKS WERE
BROKEN OFF IN MID-1973 WHEN WE REACHED THE POINT WHERE
OUR ONLY ALTERNATIVE WAS TO SIGN THE DOCUMENTS PRODUCED
BY THE JOINT ECONOMIC COMMISSION WHILE NORTH VIET-NAM
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CONTINUED TO VIOLATE SUBSTANTIALLY THE PROVISIONS OF THE
PARIS AGREEMENT AND CONTINUED TO PURSUE THE WAR IN
CAMBODIA.

SINCE THEIR RETURN, TWO DELEGATION MEMBERS (CONGRESSMEN
MCCLOSKEY AND OTTINGER) HAVE EXPRESSED THEIR SUPPORT FOR
REMOVAL OF U.S. TRADE AND CURRENCY RESTRICTIONS AS A
SUITABLE GESTURE TO CONVINCE THE VIETNAMESE OF OUR

WILLINGNESS TO NORMALIZE RELATIONS. THERE APPEARS TO BE A CONSENSUS WITHIN THE COMMITTEE THAT THE U.S. SHOULD MAKE A SUBSTANTIAL GESTURE FOR THE RETURN OF THE THREE REMAINS, AND AS AN INDUCEMENT FOR PROGRESS IN ACCOUNTING FOR MIA'S.

THE COMMITTEE WILL WANT TO REPORT TO YOU ON THEIR MISSION TO HANOI AND TO LEARN OF POSSIBLE U.S. RESPONSE TO THESE RECENT DEVELOPMENTS.

THE DEPARTMENT OF STATE CONSIDERS THE RETURN OF THE THREE REMAINS AS ONLY A MODEST GESTURE. VIETNAMESE STATEMENTS TO THE COMMITTEE THAT THEY HAVE ESTABLISHED A NEW GOVERNMENTAL AGENCY TO SEEK INFORMATION ON AMERICAN MIA'S APPEARS TO BE A TACTIC TO OBSCURE VIETNAMESE REFUSAL TO DATE TO PROVIDE FURTHER INFORMATION ON MIA'S. THE DEPARTMENT IS CONFIDENT THAT THE VIETNAMESE ALREADY HAVE INFORMATION ON MANY OF OUR MIA'S WHICH THEY COULD PROVIDE SHOULD THEY CHOOSE TO DO SO.

IN ADDITION, VIETNAMESE ASSURANCES TO THE COMMITTEE THAT AMERICANS STILL IN SAIGON WHO WISHED TO LEAVE WOULD BE PERMITTED TO DO SO HAVE NOT YET BEEN FULFILLED. SINCE DECEMBER 2, NO AMERICAN HAS BEEN ALLOWED TO LEAVE VIETNAM. (THE DEPARTMENT HAS RECEIVED REPORTS THAT SEVERAL AMERICANS IN VIET-NAM STRONGLY WISH TO LEAVE, AND THAT AT LEAST THREE AMERICANS MAY BE DETAINED IN VIETNAMESE PRISONS.)

GIVEN THE MODEST NATURE OF RECENT VIETNAMESE GESTURES AND THEIR FAILURE SO FAR TO LIVE UP TO OTHER ASSURANCES, THE DEPARTMENT BELIEVES THAT ANY RESPONDING U.S. GESTURE SHOULD BE SIMILARLY MODEST. ON DECEMBER 24 WE AND

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TREASURY APPROVED LICENSES FOR THE MENNONITE CENTRAL COMMITTEE AND THE BACH MAI HOSPITAL FUND TO SEND HUMANITARIAN AND ECONOMIC ASSISTANCE VALUED AT \$350,000 TO VIET-NAM. ON JANUARY 17, WE APPROVED A LICENSE FOR A DRUG MANUFACTURER TO SELL MEDICINE AND BABY FOOD TO THE SWEDISH GOVERNMENT FOR USE BY SWEDISH AID PROGRAMS IN VIET-NAM. THESE GESTURES APPEAR TO BE PROPER AND SUFFICIENT RESPONSES TO THE VIETNAMESE GESTURES. THEY HAVE NOT BEEN PUBLICIZED, AND YOU COULD INFORM THE COMMITTEE OF THEM.

IN YOUR HONOLULU SPEECH, YOU SAID "WE ARE PREPARED TO RECOGNIZE GESTURES OF GOOD WILL -- PARTICULARLY THE RETURN OF REMAINS OF AMERICANS KILLED ARE MISSING-IN-ACTION OR INFORMATION ABOUT THEM." YOU MAY WISH TO STRESS TO THE

COMMITTEE THAT AS OUR RECENT LICENSES INDICATE WE ARE PREPARED TO CONTINUE THIS PROCESS.

WITH REGARD TO THE "SHOPPING LIST" OF U.S. ASSISTANCE PROVIDED BY THE VIETNAMESE TO THE COMMITTEE, WE HAVE CONSISTENTLY TAKEN THE POSITION THAT ARTICLE 21 OF THE VIETNAM AGREEMENT WAS NOT A BINDING COMMITMENT TO PROVIDE AID BUT A STATEMENT OF INTENTION TO PROVIDE RECONSTRUCTION ASSISTANCE PREDICATED ON THE ASSUMPTION OF GOOD FAITH IMPLEMENTATION OF THE AGREEMENT BY NORTH VIET-NAM.

THE MASSIVE VIOLATIONS OF THE PARIS AGREEMENT BY THE VIETNAMESE AS EARLY AS 1973 HAVE COMPLETELY REMOVED ANY INTEREST ON THE PART OF THE UNITED STATES TO PROVIDE ASSISTANCE. THIS LIST IS AN INTERESTING HISTORICAL DOCUMENT, BUT HANOI KNEW AT THE TIME THAT ITS HOPES FOR AID FROM THE UNITED STATES DEPENDED UPON ITS ACTIONS IN INDOCHINA, AND IT CONTINUED TO ACT IN WAYS THAT IT KNEW WOULD PRECLUDE SUCH AID.

3. TALKING POINTS.

A. I APPRECIATE THE COMMITTEE'S EFFORTS IN HELPING RESOLVE THE STATUS OF MISSING AMERICANS IN SOUTHEAST ASIA. I PARTICULARLY WELCOME THE RETURN OF THE REMAINS OF THREE PILOTS WHICH THE COMMITTEE WAS ABLE TO ARRANGE.
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B. I HOPE THAT MORE CAN BE DONE. I AM FRANKLY DISAPPOINTED THAT THE VIETNAMESE HAVE STILL NOT COME FORTH WITH ANY SUBSTANTIAL NEW INFORMATION ON OUR MIA'S. WHILE THEIR STATEMENTS THAT THEY WILL "SEARCH" FOR MORE INFORMATION ARE OF COURSE WELCOME, WE ARE CONVINCED THEY ALREADY HAVE A GOOD DEAL OF DATA WHICH THEY COULD PROVIDE RIGHT NOW.

C. I AM ALSO CONCERNED ABOUT THE AMERICANS STILL IN SAIGON. DESPITE VIETNAMESE ASSURANCES THAT THEY COULD DEPART, NO AMERICANS HAVE BEEN ALLOWED TO LEAVE VIET-NAM SINCE DECEMBER 2. WE HAVE RELIABLE INFORMATION THAT AT LEAST SOME WANT TO LEAVE, AND WE CANNOT UNDERSTAND WHY THE VIETNAMESE DO NOT ALLOW THEM TO DO SO.

D. FOLLOWING THE RETURN OF THE REMAINS OF THE THREE PILOTS TO BANGKOK, WE HAVE APPROVED LICENSES FOR FURTHER SHIPMENTS OF HUMANITARIAN ASSISTANCE TO THE VIETNAMESE. THESE LICENSES INCLUDED: \$75,000 WORTH OF ROTOTILLERS AND AGRICULTURAL EQUIPMENT TO BE SENT BY THE MENNONITE CENTRAL COMMITTEE; \$274,000 OF DRUGS AND MEDICAL EQUIP-

MENT TO BE SENT BY THE BACH MAI HOSPITAL FUND; IN ADDITION, THE ADMINISTRATION LAST WEEK APPROVED A LICENSE FOR WYETH INTERNATIONAL TO SELL MEDICINES AND INFANT FORMULA TO THE SWEDISH GOVERNMENT FOR USE IN THE SWEDISH AID PROGRAM IN VIET-NAM. ALL TOLD, WE HAVE APPROVED SHIPMENT OF MORE THAN \$2 MILLION DOLLARS WORTH OF SUCH PRIVATE AID TO VIET-NAM SINCE THE FALL OF SAIGON. WE ARE PREPARED TO CONTINUE THIS PROCESS AND TO MAKE APPROPRIATE RESPONSES TO CONSTRUCTIVE ACTIONS BY THE VIETNAMESE. BUT I DO NOT BELIEVE LIFTING OUR TRADE

EMBARGO IS APPROPRIATE AT THIS TIME.

E. THE DISCUSSIONS BY THE JOINT ECONOMIC COMMISSION IN 1973 ABOUT POSSIBLE RECONSTRUCTION AID TO VIET-NAM FOLLOWING THE PARIS AGREEMENT WERE INTENDED TO SERVE THE BASIC PURPOSE OF CONTRIBUTING TO THE IMPLEMENTATION OF THE AGREEMENT AND TO PEACE IN INDOCHINA. THESE TALKS DID NOT COME TO A CONCLUSION, AND NO SPECIFIC AID
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PROPOSALS WERE PRESENTED TO CONGRESS FOR ONE BASIC REASON: HANOI'S BEHAVIOR IN BOTH VIET-NAM AND CAMBODIA WAS CLEARLY UNSATISFACTORY, AND IT WAS CLEAR AS EARLY AS JUNE 1973 THAT FURTHER DISCUSSIONS ON POSSIBLE US AID WOULD BE INADEQUATE TO ALTER THAT BEHAVIOR.END TEXT.

4. THIS HAS BEEN CLEARED WITH L (GH ALDRICH) AND D/HA (F SIEVERTS). SISCO

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